

EXHIBIT C

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ISLAND JAY, INC.,)
Plaintiff,)
)
v.) Case No. 19-11501
)
MYLOCKER.COM, LLC,)
Defendant.)
_____)

DECLARATION OF ANTHONY DELUCA

1. I am an attorney in good standing authorized to practice law in Michigan and the U.S. District Court for the Eastern District of Michigan.

2. I was retained by Island Jay, Inc. (“Island Jay”) after Island Jay’s counsel in Florida had initial communications with Matthew Novello, corporate counsel for MyLocker.com, LLC (“MyLocker”).

3. I filed the Complaint against MyLocker and reached out to Mr. Novello via phone before serving the Complaint. Mr. Novello contacted me, represented that he was corporate counsel for MyLocker, and indicated he wanted to resolve the matter.

4. Mr. Novello agreed to waive service and provided me with an executed Waiver of Service. Subsequently, Mr. Novello ignored multiple attempts by me to communicate about a resolution of the case.

5. Eventually, the time to answer the Complaint passed. I called Mr. Novello on September 11, 2019, to seek concurrence in a motion for default. Mr. Novello did not respond and the motion for default and permanent injunction was filed. Mr. Novello was served with the motion for default via email on September 16, 2019. The Clerk then entered default.

6. On October 1, 2019, Mr. Novello called me and I added my co-counsel, Tom Cunningham, to the call. Mr. Novello claimed that he had made a mistake and missed the filing deadline to answer the Complaint. He requested as a “professional courtesy” that we withdraw the default. Mr. Cunningham told Mr. Novello that in order to lift the default, our client would require a Consent Judgment and payment of attorneys’ fees. Mr. Novello indicated in response that he would discuss the proposal with his client. Later that day, Mr. Novello texted me and asked for the amount of attorneys’ fees. I provided him that information. That was my last contact with Mr. Novello.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 17th day of February, 2022.

/s/ Anthony L. DeLuca
Anthony L. DeLuca (P64874)